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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII**

TODD YUKUTAKE and DAVID	)	
KIKUKAWA	)	
	)	
Plaintiffs,	)	
	)	Civil Action No. 19-578 (JMS-RT)
v.	)	
	)	PLAINTIFFS' SEPARATE CONCISE
CLARE E. CONNORS, in her	)	STATEMENT OF FACTS IN SUPPORT
Official Capacity as the Attorney	)	OF MOTION FOR SUMMARY JUDGM-
General of the State of Hawaii	)	ENT; DECLARATION OF COUNSEL;
and the CITY and COUNTY	)	CERTIFICATE OF SERVICE
OF HONOLULU	)	
	)	
	)	TRIAL: Not Scheduled
Defendants.	)	JUDGE: Hon. J. Michael Seabright
	)	HEARING DATE: N/A

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**PLAINTIFFS' SEPARATE CONCISE STATEMENT OF FACTS IN  
SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

In accordance with Rule 56.1 of the Local Rules for the United States District Court for the District of Hawaii, Plaintiffs Todd Yukutake and David Kikukawa submit their concise statement of undisputed facts in support of their concurrently-filed Motion for Summary Judgment.

FACT	EVIDENTIARY SUPPORT
1. H.R.S. § 134-2(e) invalidates a permit to acquire a handgun after ten days.	<i>See</i> H.R.S. § 134-2(e).
2. H.R.S. § 134-3(c) requires in person registration of handguns.	<i>See</i> H.R.S. § 134-3(c).
3. Plaintiff Todd Yukutake is unable to take personally owned firearms on federal property.	<i>See</i> Verified Amended Complaint (“VAC”), ¶ 55.
4. Plaintiff Yukutake must take off work to register firearms.	<i>See</i> VAC, ¶ 55; ¶59
5. Plaintiff David Kikukawa must take time off work to register handguns.	<i>See</i> VAC, ¶ 70.
6. Plaintiff Kikukawa stated that it is often difficult for him to take off from work and when he does, he either has to use personal time or a vacation day to take off.	<i>See</i> VAC, ¶ 71.
7. HRS § 846-2.7(a) and HRS § 846-2.7(b)(43) mandates entry of firearm purchasers in the FBI’s rap back program.	<i>See</i> HRS § 846-2.7(a) and HRS § 846-2.7(b)(43).
8. Rap back is a “service of the [FBI] that provides continuous criminal record monitoring ... and notifies them when an	<i>See</i> Exhibit “G”, p. 1 (SB 2954, signed into law on 6/22/2016).

individual subject to a criminal history record check is arrested for a criminal offense anywhere in the country.”	
9. There were 357 permits to acquire handguns voided in 2020 because the applicant “failed to return for their permits within the specified time period”.	<i>See Exhibit B; Firearm Registrations in Hawaii, 2020.</i>
10. There were 370 permits to acquire handguns voided in 2019 because the applicant “failed to return for their permits within the specified time period”.	<i>See Exhibit C; Firearm Registrations in Hawaii, 2019.</i>
11. There were 437 permits to acquire handguns voided in 2018 because the applicant “failed to return for their permits within the specified time period”.	<i>See Exhibit “D”; Firearm Registrations in Hawaii, 2018.</i>
12. There were 367 permits to acquire handguns voided in 2017 because the applicant “failed to return for their permits within the specified time period”.	<i>See Exhibit “E”; Firearm Registrations in Hawaii, 2017.</i>
13. An application for Permit to Acquire Firearms requires the caliber, make, model, type and serial number of the firearm to be purchased.	<i>See Exhibit “F”.</i>

Dated: April 28<sup>th</sup>, 2021.

/s/ Alan Alexander Beck  
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/s/ Stephen D. Stamboulieh  
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